

THE BURDEN OF PROOF

Representative Pollard
Would Create Reserves
by Proclamation.

AIMS TO SPARE
TREES IN EAST
Extension of Interstate Commerce
Power Proposed to Help
Nation.

By J. C. WELLS.

The House Committee on Agriculture will give a hearing this week on the bill before it, looking to establishment of forest reserves in the Appalachian regions. Two measures, by Weeks of Massachusetts, and Pollard of Nebraska, are receiving particular attention. They aim to accomplish the same end, but by different processes.

The problem in connection with the forest reserves in the East is that their development necessitates the acquisition by the Government of vast areas of land now in private hands, and certain to be held at fancy figures as soon as the Government appears as a possible buyer. This question of expense has been the chief reason for the objections of Speaker Cannon and other people with their eyes on the slimming of the Government's budget.

It is proposed to give the country the reserves, and yet to avoid the necessity of buying lands, the Pollard bill has been getting considerable attention. It is a unique and most daring effort to project the Government's interstate commerce power into a new realm.

Pollard's Daring Plan.

Briefly stated, the Pollard bill proposes that the Federal Forest Service may make investigations and determine where forest reserves are needed. This done, it may proclaim the extension of the Forest Service regulations over such tracts, by whomsoever owned, as it may desire. Thus, if the great Southern Appalachian reserve were decided to be desirable, it would be established by mere proclamation. Thereafter the Government would be in complete control of all forestry concerns within the defined area, even though it were as big as Texas and owned by as many different people. And the Pollard bill has been a control, without buying the lands, is the daring proposal.

It is provided that any proclamation of the reserve, the owner of land included within it shall not be permitted to enter the timber at other than the products in interstate commerce, unless he shall have complied with the forestry regulations of the Federal Government. That's all there is to it. The Forest Service is given full power to control all forest regulations.

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Synopsis of Chapters Previously Published.

Bees Brown, daughter of a banker in the town of Marshall, refuses at the eleventh hour to elope with Jim Holden. After leaving her Jim meets her brother George, who says his horse has just run away. Beside the railroad track he comes upon a tramp, severely injured, who turns out to be Harvey Snow, an old schoolmate who has been wronged on board with him a freight bound for the city of Detroit, leaving his suitcase beside the track. Snow dies of his wound, after Jim has promised to deliver a certain envelope to the tramp's mother at Wickenburg, Kansas, and has taken oath not to reveal his identity.

In the morning Jim is arrested while carrying the dead body from the car. He is searched, and the envelope given him is found to contain fifty-one hundred dollar bills. As there has been a burglary in Marshall the night before, and Jim is accused of the robbery and of the murder of Harvey Snow, and is thrown into jail.

Bees suspects her brother of the robbery, which has taken place at her father's bank. While riding the next morning she happens upon Jim's suitcase, and in it discovers a bit and a brace, a black mark on the back of his head, and a letter started by the appearance of a neighbor, Barlow, who accuses her of being Jim's accomplice. She has taken the letter and the handle of her riding-whip. He falls unconscious to the ground, and she tries to revive him.

Bees obtains from him a promise to wait until a clock that night before divulging the knowledge which she believes at one goes to Detroit to see Jim and try to get some facts with which to refute the evidence in Marshall the night before, and Jim is accused of the robbery and of the murder of Harvey Snow, and is thrown into jail.

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ROBERT CARLTON BROWN

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He told him only that he was not guilty, that he had taken the freight train from his home town on the impulse of the moment, and that in the car he had fallen in with the tramp, who gave him the envelope in trust.

Further than the fact that he did not know what the package contained at the time he accepted it, he would say nothing.

The older man shook his head and argued cleverly, but Jim was firm, and nothing more passed his lips.

"Well, without the whole story, I haven't a chance in the world to fight for you," the lawyer told him.

"Then don't," answered Jim, laconically.

Somewhat taken aback by this the lawyer changed his tactics and continued, in a smooth, conciliatory voice:

"Of course, you understand, Mr. Holden, that it is one thing for me to believe that you are innocent, and quite another to convince the court. In order to do the latter I must have facts. Your arguments are strong. We haven't any. Now, don't you think that—"

"Go on, what do you mean?" Jim said quickly, shooting a keen glance at the attorney.

"Well, you know, even if you did do it, now, and he lowered his voice cunningly.

"Even if I did do it, what?" urged Jim, seeming to be anxious to hear of the least possible chance.

"Well, you know—the law gives you the benefit of the doubt; you are considered innocent until you are proved guilty. Now, don't you think your chances would be better if you told them some sort of a story. I can fix up one that sounds very plausible; then we will have some kind of support; as it is now there is nothing."

Smothered fury flashed in the look with which Jim pierced the lawyer. The crept into his face, his chest grew suddenly larger and one of his fists closed spasmodically. Then he broke loose.

"Confound you!" he cried. "You call yourself a lawyer. I'd like to shake you till your teeth rattled. I have been more grossly insulted in my life. Kindly take yourself and your lies out of my cell and don't come near me again. If dishonesty is all a lawyer has to offer I don't want one. I'll feel a whole lot stronger trusting to myself and the truth. I'll fight this thing out alone. If I win it will be a fair and square victory."

"Well, you won't win," smiled the lawyer knowingly. "That kind of honesty and law don't go together. You've as good as lost now."

"Well, I'll run the risk," answered Jim. "I'd feel a whole lot cleaner if I were sent to jail for life than to get out by lying."

CHAPTER X.
REMANDED FOR TRIAL.

WHEN the lawyer had left, Jim's spirit suddenly broke.

He knew that he was right in dismissing such counsel, but his utter ignorance of law overwhelmed him, and he felt the hopelessness of trying to prove his own case on the few facts he would be allowed to divulge.

While he lay brooding over the matter there came a rattle at his door, and a guard entered to accompany him to the inquest over the dead body of Harvey Snow.

He was rushed off to the undertaking rooms in a patrol wagon, well guarded. He kept his eyes fixed on the tips of his shoes during the ride, and yet he was conscious that passersby peered in to catch a sight of the criminal.

At the sitting he was placed where he could not help but look at the body of the unfortunate tramp. It was hard to guard. He knew that he was being watched for the slightest sign of guilt, and he conducted himself as coolly as possible.

Suddenly the coroner asked him if he could identify the body before him.

Jim Holden started. The question had come so unexpectedly that he was about to blurt out the name of the unfortunate when all at once his oath flashed over him.

He made no reply. His promise that he would tell nobody of having seen Harvey Snow must be kept